



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/783,440

02/20/2004

Toshiaki Yoshihara

1100.69785

7797

24978 7590 04/24/2009

GREER, BURNS & CRAIN
300 S WACKER DR
25TH FLOOR
CHICAGO, IL 60606

EXAMINER

SHERMAN, STEPHEN G

ART UNIT

PAPER NUMBER

2629

MAIL DATE

DELIVERY MODE

04/24/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/783,440	Applicant(s) YOSHIHARA ET AL.	
	Examiner STEPHEN G. SHERMAN	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to the amendment filed 11 March 2009. Claims 1-14 are pending.

Response to Arguments

2. Applicant's arguments filed 11 March 2009 have been fully considered but they are not persuasive.

On pages 2-6 of the response the applicant argues the rejection of claims 1-14 by specifically attacking the Yoshihara '960 and Yoshihara '078 references. Specifically the applicant argues that Yoshihara '078 teaches of a batch erasure process and that when combined with Yoshihara '096 that the combination would fail to disclose or suggest second-half data scanings that are scanned sequentially one by one because the combination would have a batch erasure process wherein all the scanning lines are erased together. The examiner respectfully disagrees.

The test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). Although the examiner agrees that Yoshihara '078 teaches of

batch erasure, this feature was not used to be bodily incorporated into Yoshihara '096, but rather only the teaching of having erasure scanings that are consecutive was used. The scanning in Yoshihara '078 are not replacing the scanning of Yoshihara '096 to make them batch erasures as asserted by the applicant but rather only the idea of making the scanning of Yoshihara '096 consecutive instead of at the same time is used. Thus the combination will not have a batch erasure process wherein all the scanning lines are erased together as alleged by the applicant. Therefore, the combination of references teaches all the claimed limitations and thus the rejection is maintained.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. Claims 1 and 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihara et al. (US 2002/0000960) in view of Yoshihara et al. (US 2002/0154078).

Regarding claim 1, Yoshihara et al. (US 2002/0000960) disclose a liquid crystal display device comprising:

a liquid crystal panel (Figure 1, element 21);

a light source for emitting light to be incident on said liquid crystal panel (Figure 1, element 22);

a synchronizing unit for synchronizing control of turning on said light source with data scanning based on image data to be displayed on said liquid crystal panel in a predetermined period (Figure 1 shows CONTROL SIGNAL GENERATION CIRCUIT 31 which receives a synchronization signal and provides a control signal to each of the DATA DRIVER 32, BACK-LIGHT CONTROL CIRCUIT 35, and the REFERENCE VOLTAGE GENERATION CIRCUIT 34. See paragraphs [0037]-[0039]. Figure 12 shows that during driving that the light source is turned on and controlled during a predetermined time period, i.e. the frame/sub-frames.);

a data scanning unit for scanning a plurality of similar write first-half data scanings, and scanning a plurality of similar erase second-half data scanings following said first-half data scanings within the predetermined period, wherein the second-half data scanings are scanned sequentially one by one (Figure 1 shows SCAN DRIVER 33, which will perform all of the scanning shown in Figure 12. Figure 12

shows a plurality of writing scanings and then a plurality of erase scanings following the write scanings in the R sub-frame for example, Where Figure 12 also shows that the erase scanings are scanned sequentially.); and

a control unit for turning on said light source after the plurality of first-half data scanings begin and turning off said light source before the plurality of second-half data scanings end (Figure 1 shows BACK-LIGHT CONTROL CIRCUIT 35, which will perform the control of the backlight as shown in Figure 12. Figure 12 shows that the backlight is turned on only during the period in-between the writing scanings and the erasing scanings, which means that it is turned on after the write first-half data scanings begin and that it is turned off before the erase second-half data scanings end.).

Yoshihara et al. (US 2002/0000960) fail to explicitly teach wherein the plurality of erase second-half data scanings are consecutive.

Yoshihara et al. (US 2002/0154078) disclose a liquid crystal display device where in a first embodiment only one write scan is performed and only one erase scan is performed (Figure 7 shows that in one frame only one write scan is performed and following that only one erase scanning is performed.) and a second embodiment where consecutive write scans are performed and following these a plurality of consecutive erase scanings are performed (Figure 10 shows that in one frame a plurality of writes scans are performed and following the write scanings a plurality of consecutive erase scanings are performed.).

Therefore, it would have been obvious to “one of ordinary skill” in the art at the time the invention was made to use consecutive write and erase scanings as taught by Yoshihara et al. (US 2002/0154078) in the liquid crystal display device taught by Yoshihara et al. (US 2002/0000960) because the plurality of write scans will allow for the use of a liquid crystal material having large spontaneous polarization and excellent response characteristics and to reduce the drive voltage while the plurality of erase scanings will improve the light utilization efficiency (Paragraphs [0082] and [0083] of Yoshihara et al. (US 2002/0154078)).

Regarding claim 3, Yoshihara et al. (US 2002/0000960) and Yoshihara et al. (US 2002/0154078) disclose the liquid crystal display device of claim 1.

Yoshihara et al. (US 2002/0000960) also disclose of a liquid crystal display device wherein a voltage applied to said liquid crystal panel in one or a plurality of times of first-half data scanings and a voltage applied to said liquid crystal panel in one or a plurality of times of second-half data scanings are equal in magnitude and opposite in polarity (Figure 7(b)).

Regarding claim 4, Yoshihara et al. (US 2002/0000960) and Yoshihara et al. (US 2002/0154078) disclose the liquid crystal display device of claim 1.

Yoshihara et al. (US 2002/0000960) also disclose of a liquid crystal display device wherein a darker display is obtained by one or a plurality of times of second-half data scanings compared to one or a plurality of times of first-half data scanings

(Figure 7(b) shows of having a first scanning and a second scanning, while Figure 12 shows of having multiple first scanning and multiple second scanning, where the second scanning is used for erasing by applying a negative polarity voltage, meaning that a darker display will be accomplished by the second scanning periods.).

6. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihara et al. (US 2002/0000960) in view of Yoshihara et al. (US 2002/0154078) and further in view of Makino et al. (US 2002/0008683).

Regarding claim 8, please refer to the rejection of claim 1, and furthermore:

Yoshihara et al. (US 2002/0000960) and Yoshihara et al. (US 2002/0154078) fail to explicitly teach the a liquid crystal display device comprising a switching unit for switching between a first method in which said light source is turned on during the plurality of first-half data scanning and is turned off during the plurality of second-half data scanings and a second method in which said light source is turned on when the plurality of first-half data scanings begins and is turned off when the plurality of second-half data scanings end.

Makino et al. disclose a liquid crystal display device comprising:

a switching unit (Figure 4, CONTROL SIGNAL GENERATION CIRCUIT 31 and BACK-LIGHT CONTROL CIRCUIT 35) for switching between a first method in which said light source is turned on during the plurality of first-half data scanning and is turned off during the plurality of second-half data scanings (Figure 28 shows that in Mode A

the backlight is turned ON during the address periods for both the first data writing scanning and data erasing scanning, i.e. first-half data scannings, and that the light source is turned OFF during the address periods for both the second data writing scanning and data erasing scanning, i.e. second-half data scannings.) and a second method in which said light source is turned on when the plurality of first-half data scannings begins and is turned off when the plurality of second-half data scannings end (Figure 28 shows that in Mode B the backlight is turned ON when the first data writing scanning begins, i.e. when the first-half data scannings begin, and that the light source is turned OFF when the second data erasing scanning ends, i.e. when the second-half data scannings end. The examiner realizes that the backlight is actually turned from on to off during the middle retention period RP, but as shown in the figure, the backlight remains off throughout the second-half data scannings and is therefore turned off when they end.).

Therefore, it would have been obvious to “one of ordinary skill” in the art at the time the invention was made to use the switching unit and method taught by Makino et al. in the liquid crystal display device taught by the combination of Yoshihara et al. (US 2002/0000960) and Yoshihara et al. (US 2002/0154078) in order to provide a reduction of power consumption while maintaining desired screen brightness.

Regarding claim 9, Yoshihara et al. (US 2002/0000960), Yoshihara et al. (US 2002/0154078) and Makino et al. disclose the liquid crystal display device of claim 1.

Makino et al. also disclose wherein a liquid crystal material for use in said liquid crystal panel has spontaneous polarization (Claim 7 found on page 9 of the publication.).

Regarding claim 10, Yoshihara et al. (US 2002/0000960), Yoshihara et al. (US 2002/0154078) and Makino et al. disclose the liquid crystal display device of claim 8.

Makino et al. also disclose wherein a liquid crystal material for use in said liquid crystal panel has spontaneous polarization (Claim 7 found on page 9 of the publication.).

7. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihara et al. (US 2002/0000960) in view of Yoshihara et al. (US 2002/0154078) and further in view of Nitto et al. (US 2003/0123258).

Regarding claim 5, Yoshihara et al. (US 2002/0000960) and Yoshihara et al. (US 2002/0154078) disclose the liquid crystal display device of claim 1.

Yoshihara et al. (US 2002/0000960) and Yoshihara et al. (US 2002/0154078) fail to teach wherein a brightness distribution of said light source is uneven in a data scanning direction.

Nitto et al. discloses a liquid crystal display device wherein a brightness distribution of said light source is uneven in a data scanning direction (Figures 10-11

shows that there is a light source at the top and the bottom of the display, meaning that the light distribution will inherently be uneven in the data scanning direction.).

Therefore it would have been obvious to “one of ordinary skill” in the art at the time the invention was made to use the idea of having two incident light sources as taught by Nitto et al. in the liquid crystal display device taught by the combination of Yoshihara et al. (US 2002/0000960) and Yoshihara et al. (US 2002/0154078) in order to account for display irregularities usually found around the edges of the display.

Regarding claim 6, Yoshihara et al. (US 2002/0000960), Yoshihara et al. (US 2002/0154078) and Nitto et al. disclose the liquid crystal display device of claim 5.

Nitto et al. also disclose a liquid crystal display device wherein the brightness of a light source is lowest in a center in the data scanning direction and increases from the center toward upstream and downstream sides in the data scanning direction (Figures 10-11 shows that there is a light source at the top and the bottom of the display, where inherently the light intensity will degrade as the light is further from the source, thus resulting in the light intensity on the two edges of the panel being the greatest and the intensity in the middle being the lowest.).

Regarding claim 7, Yoshihara et al. (US 2002/0000960), Yoshihara et al. (US 2002/0154078) and Nitto et al. disclose the liquid crystal display device of claim 5.

Nitto et al. also disclose wherein the brightness of said light source is lowest in a center in the data scanning direction, increases from the center toward upstream and

downstream sides in the data scanning direction, and is higher on the downstream side than on the upstream side (Figures 10-11 shows that there is a light source at the top and the bottom of the display, where inherently the light intensity will degrade as the light is further from the source, thus resulting in the light intensity on the two edges of the panel being the greatest and the intensity in the middle being the lowest, and since the intensity of the light sources can be changed and the lights can degrade, the brightness of the bottom light sources can be greater than that of the top light source.).

8. Claims 2, 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihara et al. (US 2002/0000960) in view of Yoshihara et al. (US 2002/0154078) and further in view of Tanaka et al. (US 2002/0149576).

Regarding claim 2, Yoshihara et al. (US 2002/0000960) and Yoshihara et al. (US 2002/0154078) disclose the liquid crystal display device of claim 1.

Yoshihara et al. (US 2002/0000960) and Yoshihara et al. (US 2002/0154078) fail to teach wherein said light source is turned on at substantially an intermediate time point of a first of said plurality of first-half data scanings and turned off at substantially an intermediate time point of a first of said plurality of second-half data scanings.

Tanaka et al. disclose a liquid crystal display device wherein a light source is turned on at substantially an intermediate time point of a first scanning and turned off at substantially an intermediate time point of a second scanning (Figure 4A and 4C show

that the light source is turned on half way through the first scan and turned off half way through a second scan.).

Therefore, it would have been obvious to “one of ordinary skill” in the art at the time the invention was made use the method of turning on the backlight taught by Tanaka et al. with the plural scanning method taught by the combination of Yoshihara et al. (US 2002/0000960) and Yoshihara et al. (US 2002/0154078) such that the backlight would be turned on during halfway through the first data-writing scanning and turned off halfway through the second data-writing scanning in order to improve the uniformity of luminance and insuring sufficient brightness while saving power consumption.

Regarding claim 11, Yoshihara et al. (US 2002/0000960) and Yoshihara et al. (US 2002/0154078) disclose the liquid crystal display device of claim 1.

Yoshihara et al. (US 2002/0000960) and Yoshihara et al. (US 2002/0154078) fail to teach wherein said light source emits light of at least three primary colors, and a color display is performed by switching the color of light emitted by said light source in a time-divided manner in synchronism with ON/OFF driving of switching elements.

Tanaka et al. disclose of a liquid crystal display device, wherein a light source emits light of at least three primary colors (Paragraph [0053]), and a color display is performed by switching the color of light emitted by said light source in a time-divided manner in synchronism with ON/OFF driving of switching elements (Figures 4A-4C).

Therefore, it would have been obvious to “one of ordinary skill” in the art at the time the invention was made to use the sequential backlight method taught by Tanaka

et al. in the display system taught by the combination of Yoshihara et al. (US 2002/0000960) and Yoshihara et al. (US 2002/0154078) in order to provide better color reproducibility.

Regarding claim 13, Yoshihara et al. (US 2002/0000960) and Yoshihara et al. (US 2002/0154078) disclose the liquid crystal display device of claim 1.

Yoshihara et al. (US 2002/0000960) and Yoshihara et al. (US 2002/0154078) fail to teach wherein said light source emits light of white color, and a color display is performed by selectively transmitting the light emitted from said light source through color filters of a plurality of colors.

Tanaka et al. disclose of a liquid crystal display device, wherein the light source emits light of white color, and a color display is performed by selectively transmitting the light emitted from said light source through color filters of a plurality of colors (Paragraph [0056]).

Therefore, it would have been obvious to “one of ordinary skill” in the art at the time the invention was made to use the sequential backlight method taught by Tanaka et al. in the display system taught by the combination of Yoshihara et al. (US 2002/0000960) and Yoshihara et al. (US 2002/0154078) in order to provide better color reproducibility.

9. Claims 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihara et al. (US 2002/0000960) in view of Yoshihara et al. (US 2002/0154078)

and further in view of Makino et al. (US 2002/0008683) and Tanaka et al. (US 2002/0149576).

Regarding claim 12, Yoshihara et al. (US 2002/0000960), Yoshihara et al. (US 2002/0154078) and Makino et al. disclose the liquid crystal display device of claim 8.

Yoshihara et al. (US 2002/0000960), Yoshihara et al. (US 2002/0154078) and Makino et al. fail to teach wherein said light source emits light of at least three primary colors, and a color display is performed by switching the color of light emitted by said light source in a time-divided manner in synchronism with ON/OFF driving of switching elements.

Tanaka et al. disclose of a liquid crystal display device, wherein a light source emits light of at least three primary colors (Paragraph [0053]), and a color display is performed by switching the color of light emitted by said light source in a time-divided manner in synchronism with ON/OFF driving of switching elements (Figures 4A-4C).

Therefore, it would have been obvious to “one of ordinary skill” in the art at the time the invention was made to use the sequential backlight method taught by Tanaka et al. in the display system taught by the combination of Yoshihara et al. (US 2002/0000960), Yoshihara et al. (US 2002/0154078) and Makino et al. in order to provide better color reproducibility.

Regarding claim 14, Yoshihara et al. (US 2002/0000960), Yoshihara et al. (US 2002/0154078) and Makino et al. disclose the liquid crystal display device of claim 8.

Yoshihara et al. (US 2002/0000960), Yoshihara et al. (US 2002/0154078) and Makino et al. fail to teach wherein said light source emits light of white color, and a color display is performed by selectively transmitting the light emitted from said light source through color filters of a plurality of colors.

Tanaka et al. disclose of a liquid crystal display device, wherein the light source emits light of white color, and a color display is performed by selectively transmitting the light emitted from said light source through color filters of a plurality of colors (Paragraph [0056]).

Therefore, it would have been obvious to “one of ordinary skill” in the art at the time the invention was made to use the sequential backlight method taught by Tanaka et al. in the display system taught by the combination of Yoshihara et al. (US 2002/0000960), Yoshihara et al. (US 2002/0154078) and Makino et al. in order to provide better color reproducibility.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEPHEN G. SHERMAN whose telephone number is (571)272-2941. The examiner can normally be reached on M-F, 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on (571) 272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/783,440

Page 17

Art Unit: 2629

/Stephen G Sherman/
Examiner, Art Unit 2629

/Amr Awad/
Supervisory Patent Examiner, Art Unit 2629

17 April 2009